

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	LEVY, Andrew	Examiner:	GOLDBERG, JEANINE ANNE
Serial No.:	10/748,177	Group Art Unit:	1634
Filed:	December 31, 2003	Confirmation No.:	7660
Title:	METHOD OF PREDICTING A BENEFIT OF ANTIOXIDANT THERAPY FOR PREVENTION OF CARDIOVASCULAR DISEASE IN HYPERGLYCEMIC PATIENTS		

AMENDMENT AND RESPONSE

Mail Stop AF

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This Amendment and Response is being filed together with a Request for Continued Examination, in response to the final Office Action dated July 2, 2008, by the United States Patent and Trademark Office in connection with the above-identified Application, and further in response to the Advisory Action mailed November 17, 2008, as well as the Advisory Action mailed February 6, 2006, responsive to the non-entered amendment filed January 22, 2009. On December 29, 2008, a Notice of Appeal was filed. As the filing of an Appeal was due on March 1, by virtue of the herein-requested petition for a one-month extension of time for the filing of the Notice of Appeal, therefore the Request for Continued Examination, and this Amendment and Response, are filed timely.

The pending **Claims** are set forth in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 5 of this paper.